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081450Z Aug 05

ACTION AF-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	USNW-00	CIAE-00	INL-00
	DODE-00	DS-00	EB-00	UTED-00	VC-00	H-00	TEDE-00
	INR-00	IO-00	LAB-01	L-00	VCE-00	NSAE-00	OIC-00
	PA-00	GIWI-00	PRS-00	P-00	SP-00	SSO-00	SS-00
	STR-00	TRSE-00	FMP-00	R-00	DSCC-00	PRM-00	DRL-00
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FM AMEMBASSY GABORONE  
TO SECSTATE WASHDC 2335  
INFO SOUTHERN AFRICAN DEVELOPMENT COMMUNITY  
HQ USEUCOM VAIHINGEN GE  
WHITE HOUSE NSC WASHINGTON DC

UNCLAS GABORONE 001100

SIPDIS

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E.O. 12958: N/A  
TAGS: [PHUM](#) [PGOV](#) [BC](#)  
SUBJECT: CONSTITUTIONAL AMENDMENT ON TRIBAL NEUTRALITY PASSES

REFERENCE: GABORONE 600

1. Botswana's National Assembly passed a Constitutional Amendment Bill intended to make the Constitution more tribally neutral by reforming the largely symbolic House of Chiefs (reftel) on August 2. The Ntlo ya Dikgosi -- Setswana for House of Chiefs - as it was renamed in the Amendment, provides a forum for Botswana's traditional leaders to advise the Government and Parliament on national issues. The Amendment will add up to twenty new members to the Ntlo ya Dikgosi, expanding representation in areas of the country where a variety of small minority groups predominate, as well as five members appointed by the President.

2. Opposition MPs and civil society organizations representing minority populations had led the attack against the bill. They argued that retaining representatives of the eight "principal" tribes as ex officio members while submitting others to elections based on geographic constituencies would leave fundamental tribal inequality unchanged. A more equitable amendment, they suggested, would establish identical procedures for selecting every member of the House of Chiefs. Despite these criticisms, only four MPs - the leader of opposition and representatives of three constituencies where minority Bakgalagadi predominate - voted against the Bill. Other opposition members opposed it in principle but dared not violate the will of their constituents, most of whom belong to one of the eight so-called "principal" tribes.

3. Reteng, a multicultural coalition representing Botswana's ethnic minorities, condemned the amendment as reinforcing privileges enjoyed by the Tswana-speaking peoples who account for less than half of the country's population. Lydia Nyati-Ramahobo, Reteng's spokesperson, told Political Assistant that the organization intended to continue pursuing this subject with the United Nation's Committee on the Elimination of Racial Discrimination.

COMMENT

4. This Bill resulted from a compromise between the Government's desire to maintain and improve its image as a liberal democracy on the one hand, and the unwillingness of the largest and most influential ethnic group in the country to surrender its privileges on the other. The likely outcome, more minorities in the House of Chiefs, is welcome.

5. More significant was the expansion of the President's patronage powers through the introduction of five seats appointed by him. The Amendment also eliminated a clause in the constitution on which the First People of the Kalahari had predicated their legal challenge of the Government's relocation of San and other minorities from the Central Kalahari Game Reserve. Although the Amendment will not be retroactive, and therefore will not directly impact the court case, it demonstrates the Government's determination not to bow to pressure to review that policy.

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